

REMARKS

Claims 1 – 24 are pending in the above-identified patent application. Claims 1 – 24 were rejected in the Office Action dated May 19, 2005. Claims 1, 9, 17 – 18 are being amended. Reconsideration is respectfully requested.

Claim Rejections – 35 U.S.C. §103

In section 4 of the Office Action, the Examiner rejected claims 1 – 3, 6 – 11, 14 – 20, 23, and 24 over U.S. Patent Application Publication No. 2002/0087674 to Guilford et al. (hereinafter *Guilford*) in view of U.S. Patent No. 6,185,612 to Jensen et al. (hereinafter *Jensen*).

Applicant respectfully submits that claim 1, as amended, is patentable over *Guilford* and *Jensen*, whether considered independently or in combination, by at least reciting:

A method, comprising:
determining availability of wireless networks supported by an asset monitoring device;
performing a weighted score analysis of the available wireless networks as a function of network attributes and data segment attribute weights, wherein the data segment attribute weights indicate importance of network attributes in selecting a wireless network; and
selecting one of the available wireless networks to transmit a data segment based on the weighted score analysis.

Applicant respectfully submits that, contrary to the Examiner's assertion, *Guilford* does not teach making a weighted analysis of available networks. In fact, the term weight is not used once in *Guilford*. *Guilford* instead teaches assignment of a network based on multiple variables but there is no weighted determination (see Fig. 8A and related description in the specification). The determination is only if a network meets various requirements. In contrast, the claimed invention enables the determination of a network based on a plurality factors based on which factors are most important. Accordingly, the claimed invention enables a tradeoff between factors. Even if one factor is not ideal for a network, that network may still be selected if other factors are acceptable based on their importance. Further, if a plurality of factors for a network are acceptable but the most important factor is not, that network will not be selected. For example, when reporting a theft of a monitored asset, cost is not an important factor but speed and reliability are. For regular reporting of a monitored asset location, cost would be important but other factors less so. (See last paragraph starting on page 11 of the specification). Therefore,

the claimed invention offers a significant improvement over the cited references by enabling tradeoffs in various factors in network selection.

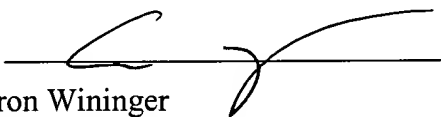
As such, Applicant submits that claim 1 is patentable over the cited references. Further, claims 9, 17, and 18 should be patentable over the cited references for the same reasons since they recite similar limitations. Further, the remaining claims should be patentable over the cited references at least by virtue of their dependency to patentable claims.

Therefore, Applicant respectfully requests that a timely Notice of Allowance be issued in this case. If the Examiner has any questions, he is invited to contact the undersigned at +1.650.843.3375.

Respectfully submitted,
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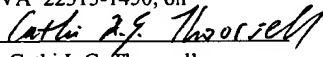
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